

**UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

In re Scotia Development LLC, §
Debtor § Case No. 07-20027-C-11
§

Ad Hoc Group of Timber Noteholders, §
Appellants, §
§
v. § C.A. No.02:07-cv-166
§
Scotia Pacific Company, §
Appellee. §

ORDER TO CERTIFY AND STAY APPEAL

On April 5, 2007, The Bankruptcy Court ruled, among other things, that Scotia Pacific Company LLC is not a Single Asset Real Estate Debtor. (D.E. 595 in case 07-20027). On April 9, 2007, the Noteholder Group filed a notice of appeal of the ruling on the Single Asset Real Estate issue, which the clerk filed according to Bankruptcy Rule 8004, and assigned to this Court. (D.E. 1 in case 07-cv-166). On April 20, 2007, the Bankruptcy Court denied the Noteholder Group's Request to certify the issue for direct appeal to the Fifth Circuit Court of Appeals. There has been no docketing of an appeal under Bankruptcy Rule 8007(b).

On April 23, 2007, the Bankruptcy Judge filed an order reconsidering the Noteholder Group's request for certification, and recommended the Court certify the Single Asset Real Estate issue for direct appeal because there is no controlling decision from the Fifth Circuit or the Supreme Court. (D.E. 4 in case 07-cv-166).

TRUE COPY I CERTIFY
ATTEST: 4-24-07
MICHAEL N. MILBY, CLERK
By *Deputy Clerk*
Deputy Clerk

The Court accepts the recommended decision of the Bankruptcy Judge and CERTIFIES the Bankruptcy Court's Findings of Fact and Conclusions of Law and Final Order of April 5, 2007 (D.E. 595 in case 07-20057) for direct appeal to the Fifth Circuit Court of Appeals pursuant to 28 U.S.C. § 158(d)(2)(A)(i).

The appeal in this court (case 07-cv-166) is STAYED pending the Fifth Circuit's decision to authorize the direct appeal under 28 U.S.C. § 158(d)(2)(A).

Ordered this 24 day of April, 2007.



HAYDEN HEAD
CHIEF JUDGE